

Notice of Allowability

Application No.

10/044,997

Examiner

Dhairya A. Patel

Applicant(s)

BECKER ET AL.

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3/29/2006.
2. ☒ The allowed claim(s) is/are 1-4, 6-15, 17-25 and 27-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Khanh Dinh
Primary Examiner

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Paul Heltko (Reg. # 51,806) and Frank C. Nicholas (Reg. # 33,983) on 7/20/2006.
3. The application has been amended as follows:

In the Claims

Please **AMEND** claims 1,13,19, 23 in accordance with the following:

- 1). (Currently Amended) A method for communicating among a plurality of peer nodes in a network environment, comprising:

communicating a discovery command from a current peer node to at least one neighbor peer node, the neighbor peer node in communication with the current peer node, the discovery command including time to live value indicative of the number of times that the discovery command is forwarded prior to communication expiration; and

receiving, at the current peer node, an aggregated list of peer nodes, the aggregated list of peer nodes comprising information ~~about~~ concerning at least one peer node in communication with the at least one neighbor node, the information including an IP address and a port number on which each peer node can accept incoming connections, and wherein each node waits for a predetermined ping time out delay between communicating a subsequent discovery command; and

receiving, at the current peer node, a second discovery command from an
originating peer node; and
communicating, from the current peer node directly to the originating peer node,
the peer table in response to the second discovery command.

13). (Currently Amended) ~~A Computer~~ computer program product in a
recordable type computer usable medium for communicating among a plurality of peer
nodes in a network environment, comprising:

means for communicating a discovery command from a current peer node to at
least one neighbor peer node, the neighbor peer node in communication with the
current peer node, the discovery command including time to live value indicative of the
number of times that the discovery command is forwarded prior to communication
expiration; and

means for receiving, at the current peer node, an aggregated list of peer nodes,
the aggregated list of peer nodes comprising information ~~about~~ concerning at least one
peer node in communication with the at least one neighbor node, the information
including an IP address and a port number on which each peer node can accept
incoming connections, and wherein each node waits for a predetermined ping time out
delay between communicating a subsequent discovery command; and

means for receiving, at the current peer node, a second discovery command
from an originating peer node; and

means for communicating, from the current peer node directly to the originating
peer node, the peer table in response to the second discovery command.

19). (Currently Amended) The product of claim 13, further comprising:
means for ~~communicating~~ forwarding a query command for the current peer node to a predetermined number of neighbor peer nodes.

23). (Currently Amended) A system for communicating among a plurality of peer nodes in a network environment, comprising:

means for communicating a discovery command from a current peer node to at least one neighbor peer node, the neighbor peer node in communication with the current peer node, the discovery command including time to live value indicative of the number of times that the discovery command is forwarded prior to communication expiration; and

means for receiving, at the current peer node, an aggregated list of peer nodes, the aggregated list of peer nodes comprising information ~~about~~ concerning at least one peer node in communication with the at least one neighbor node, the information including an IP address and a port number on which each peer node can accept incoming connections, and wherein each node waits for a predetermined ping time out delay between communicating a subsequent discovery command; and

means for receiving, at the current peer node, a second discovery command from an originating peer node; and

means for communicating, from the current peer node directly to the originating peer node, the peer table in response to the second discovery command.

Allowable Subject Matter

4. Original Claims 1,2,3,4,6,7,8,9,10,11,12,13,14,15,17,18,19,20,

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21,22,23,24,25,27,28,29,30,31,32 respectively are allowed which are renumbered as 1,2,3,4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20, 21,22,23,24,25,26,27,28,29 respectively. Original Claims 5,16,26 are cancelled.

5. This communication warrants no examiner's reason for allowance, as applicant's reply makes evident the reason for allowance, satisfying the record as whole as required by rule 37 CFR 1.104 (e). In this case, the substance of applicant's remarks filed on January 4,2006 with respect to the amended claim limitations point out the reason claims are patentable over the prior art of record. Thus, the reason for allowance is in all probability evident from the record and no statement for examiner's reason for allowance is necessary (see MPEP 13202.14).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on Monday-Friday 7:00AM-4: 30PM, first Fridays OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DAP

Khanh Dinh
Primary Examiner